

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED  
2017 OCT 30 PM 1:40  
DEPUTY CLERK VLS

Toby Kristopher Payne #1720023

Plaintiff's name and ID Number

French M. Robertson Unit, 12071 FM 3522, Abilene, TX 79601

Place of Confinement

**2-17CV-211-J**

CASE NO. \_\_\_\_\_

(Clerk will assign the number)

V.  
James Sutterfield  
William P. Clements Unit  
9601 Spur 591  
Amarillo, TX 79107-9606

**APPLICATION TO PROCEED  
IN FORMA PAUPERIS**

\_\_\_\_\_  
Defendant's name and address

I, Toby K. Payne #1720023, declare, depose, and say I am the Plaintiff in the above entitled case. In support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state because of my poverty, I am unable to pay in advance the filing fee for said proceedings or to give security for the filing fee. I believe I am entitled to relief.

I, further declare the responses which I have made to the questions and instructions below are true.

1. Have you received, within the last 12 months, any money from any of the following sources?

- |  |   |  |
|--|---|--|
| a. Business, profession or from self-employment?   | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| b. Rent payments, interest or dividends?           | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| c. Pensions, annuities or life insurance payments? | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| d. Gifts or inheritances?                          | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| e. Family or friends?                              | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| f. Any other sources?                              | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |

If you answered YES to any of the questions above, describe each source of money and state the amount received from each during the past 12 months.

I received approx. \$1,000 on my Inmate Trust Fund Account from my mother in the past 12 months.

2. Do you own cash, or do you have money in a checking or savings account, including any funds in prison accounts?

Yes ☒ No ☐

If you answered YES to any of the questions above, state the total value of the items owned.

To the best of my recollection, I currently have \$40 on my ATF account.

3. Do you own real estate, stocks, bonds, note, automobiles, or other valuable property, excluding ordinary household furnishings and clothing?

Yes ☐

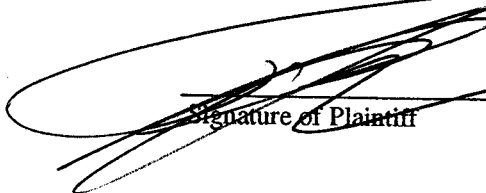
No ☒

If you answered YES, describe the property and state its approximate value.

\_\_\_\_\_  
\_\_\_\_\_

I understand a false statement in answer to any question in this affidavit will subject me to penalties for perjury. I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct (28 U.S.C. §1746).

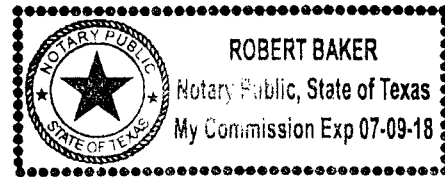
Signed this the 24th day of October, 20 17.

  
Signature of Plaintiff

1700023  
ID Number

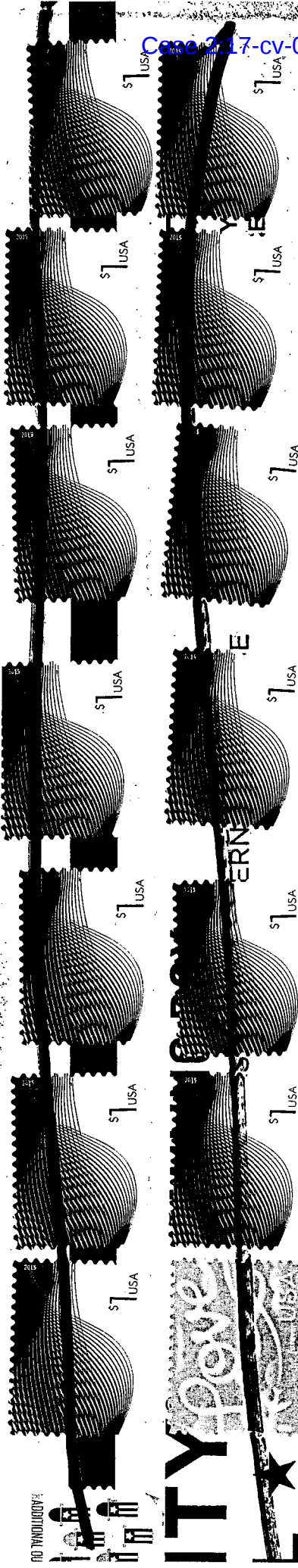
**YOU MUST ATTACH A CURRENT SIX (6) MONTH HISTORY OF YOUR INMATE TRUST ACCOUNT. YOU CAN ACQUIRE THE APPROPRIATE INMATE ACCOUNT CERTIFICATE FROM THE LAW LIBRARY AT YOUR PRISON UNIT.**

CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 10/24/17  
 RB51/RBA2481 IN-FORMA-PAUPERIS DATA 09:22:44  
 TDCJ#: 01720023 SID#: 08361639 LOCATION: ROBERTSON INDIGENT DTE:  
 NAME: PAYNE, TOBY KRISTOPHER BEGINNING PERIOD: 04/01/17  
 PREVIOUS TDCJ NUMBERS:  
 CURRENT BAL: 6.10 TOT HOLD AMT: 0.00 3MTH TOT DEP: 165.00  
 6MTH DEP: 425.00 6MTH AVG BAL: 40.77 6MTH AVG DEP: 70.83  
 MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS  
 09/17 97.67 40.00 06/17 97.37 80.00  
 08/17 97.67 80.00 05/17 97.47 80.00  
 07/17 62.37 45.00 04/17 117.65 100.00  
 PROCESS DATE HOLD AMOUNT HOLD DESCRIPTION



STATE OF TEXAS COUNTY OF JONES  
 ON THIS THE 24th DAY OF OCTOBER 2017, I CERTIFY THAT THIS DOCUMENT IS A TRUE,  
 COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE  
 COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG:  
 PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: \_\_\_\_\_ OR SID NUMBER: \_\_\_\_\_

*[Handwritten Signature]*  
 TDCJ 73200 UNIT  
 LANLIZAY



**ITV**  
Power  
★

Box 100  
4x1  
2x1

FROM: Toby K. Payne #1720023  
Robertson Unit  
13071 FM 3522  
Abilene, TX 79601

RECEIVED  
OCT 30 2017  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

TO: U.S. District Court  
Office of the Clerk  
Northern Dist. of Texas  
205 E. 5th Ave., Ste. 1324D  
Amarillo, TX 79101-9949

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JUSTICE INSTITUTIONS DIVISION



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